

RECEIVED  
CENTRAL FAX CENTER

JAN 27 2005

NEIFELD REF.: OBSP/5-GARDUSC2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Gardenswartz

USPTO CONFIRMATION CODE: 5962

SERIAL NO: 09/893,775

FILED: 6/29/2001

EXAMINER: Champagne, Donald

GROUP ART UNIT: 2121

FOR: Communicating with a Computer Based on the Offline Purchase History of a Particular Consumer

SECOND 37 CFR 1.114 AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

Sir:

Please amend this application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.

RECEIVED  
CENTRAL FAX CENTER

JAN 27 2005

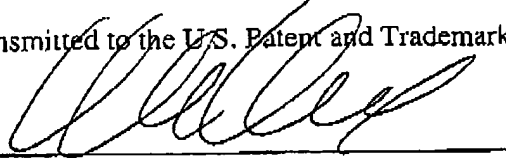
## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date:

1/27/05

Signature:



From:

Richard A. Neifeld

Registration No.:

35,299

Name of Person Signing Certificate

Telephone Number: 703-415-0012, Ext 21

To:

Examiner: Donald ChampagneGroup Art Unit: 2121

RE:

U.S. Application Number/Patent Number: 09/893,775Filed/Issued: 6/29/01Attorney Docket Number: OBSP/5-GARDUSC2TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 15

Attached are the following documents:

Amendment Cover Letter Including Authorization to Charge Deposit Account (In Duplicate)  
Second 37 CFR 1.114 Amendment (12 Pages)

COMMENTS

In the event that any fees are due, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge the required fees to our Deposit Account No. 50-2106. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time.

NEIFELD REF.: OBSP/5-GARDUSC2

IN RE APPLICATION OF: Gardenswartz

SERIAL NO: 09/893,775

FILED: 6/29/01

FOR: Communicating with a Computer Based on the Offline Purchase History of a Particular Consumer

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

### AMENDMENT COVER LETTER INCLUDING AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☐ Additional documents filed herewith:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	39	MINUS	42	0	× \$50 =	\$0.00	
INDEPENDENT	8	MINUS	9	0	× \$200 =	\$0.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$360 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity					\$0.00
		<input type="checkbox"/> Recordation of Assignment				+ \$40 =	\$0.00
		<input type="checkbox"/> Petition for Extension of Time: 1 Month				+ \$120 =	\$0.00
		<input type="checkbox"/> 2 Months				+ \$450 =	\$0.00
		<input type="checkbox"/> 3 Months				+ \$1,020 =	\$0.00
		<input type="checkbox"/> 4 Months				+ \$1,590 =	\$0.00
		<input type="checkbox"/> Terminal Disclaimer				+ \$130 =	\$0.00
				<input type="checkbox"/> Information Disclosure Statement Prior to Final			
<input type="checkbox"/> Other: _____							
TOTAL					\$0.00		

☐ A check including the amount of \$0.00 is attached.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2106.

Respectfully Submitted,

Date

Richard A. Neifeld, Ph.D.  
Registration No. 35,299  
Attorney of Record

Printed: January 27, 2005 (1:08pm)

Y:\Info\FirmForms\PatentForms\US\_ProsecutionForms\AmCvrLtr\_050127.wpd

NEIFELD REF.: OBSP/5-GARDUSC2

IN RE APPLICATION OF: Gardenswartz

SERIAL NO: 09/893,775

FILED: 6/29/01

FOR: Communicating with a Computer Based on the Offline Purchase History of a Particular Consumer

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

### AMENDMENT COVER LETTER INCLUDING AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☐ Additional documents filed herewith:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	39	MINUS	42	0	× \$50 =	\$0.00	
INDEPENDENT	8	MINUS	9	0	× \$200 =	\$0.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$360 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00	
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00	
		<input type="checkbox"/> Petition for Extension of Time: 1 Month			+ \$120 =	\$0.00	
		<input type="checkbox"/> 2 Months			+ \$450 =	\$0.00	
		<input type="checkbox"/> 3 Months			+ \$1,020 =	\$0.00	
		<input type="checkbox"/> 4 Months			+ \$1,590 =	\$0.00	
		<input type="checkbox"/> Terminal Disclaimer			+ \$130 =	\$0.00	
		<input type="checkbox"/> Information Disclosure Statement Prior to Final			+ \$180 =	\$0.00	
		<input type="checkbox"/> Other: _____					
		TOTAL					\$0.00

☐ A check including the amount of \$0.00 is attached.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2106.

Respectfully Submitted,

1/27/05  
Date

Richard A. Neifeld, Ph.D.  
Registration No. 35,299  
Attorney of Record

Printed: January 27, 2005 (1:08pm)

Y:\Info\FirmForms\PatentForms\US\_ProsecutionForms\AmCvrLtr\_050127.wpd